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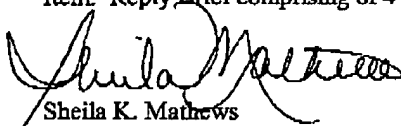
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Applicant: Mitchell
Serial No. 09/494,198
Filed: January 28, 2000
Docket No.: 00CR064/KE
For: System And Method For Internet Access On A Mobile Platform
Item: Reply Brief comprising of 4 pages


Sheila K. Mathews

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Atty. Dkt. No. 00CR064/KE (47141-151)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

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APR 03 2008

Applicant: Mitchell, James P.

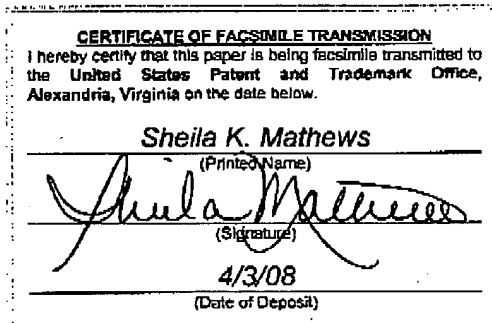
Title: SYSTEM AND METHOD FOR
INTERNET ACCESS ON A
MOBILE PLATFORM

Appl. No.: 09/494,198

Filing Date: 01/28/2000

Examiner: Sonny Trinh

Art Unit: 2685

Confirmation 3140
Number:

REPLY BRIEF UNDER 37 C.F.R. § 1.193(b)(1)

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Sir:

In reply to the February 5, 2008 Examiner's Answer (hereinafter referred to as the
"Examiner's Answer") to the Amended Appellant's Appeal Brief (hereinafter referred to as the
"Appeal Brief"), the following remarks are submitted.

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**RECEIVED
CENTRAL FAX CENTER****APR 03 2008****ARGUMENT****I. Claims 1-2, 4-9, 11-14, and 16-17 (Group 1)**

With respect to independent Claims 1 and 8, Appellant submits that the Examiner has still failed to establish a prima facie case of obviousness because, among other reasons, Hiett does not teach or suggest a very low range direct broadcast receiver located on the mobile platform and limited to receiving signals transmitted from within a very short range, as recited in independent Claim 1. Further, Hiett does not teach or suggest providing Internet data to the computer network via the direct broadcast receiver from a distance of less than a few meters the direct broadcast receiver being limited to receiving signals transmitted from within a very short range, as recited in independent Claim 8. Appellant submits that the Examiner appears to be equating a transmitter that is configured to transmit signals from 1,000 feet down to zero feet with a "receiver" (Claim 1) or a "direct broadcast receiver" (Claim 8) "limited to receiving signals transmitted from within a very short range." For example, the Examiner's Answer contains the following statement by the Examiner:

[T]he teachings of Hiett would have suggested to an artisan that the in-airport ground-based transmitter, transmits, inter alia, over a very low range (of less than a few meters). (Examiner's Answer, page 12, lines 6-8) (*emphasis added*).

Appellant respectfully submits that the Examiner has incorrectly characterized a transmitter capable of transmitting signals from a range of zero feet to 1,000 feet as being the same as a receiver limited to receiving signals that are transmitted within a very short range.

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There is no disclosure in Hiett of a receiver limited to receiving signals transmitted from within a very short range. In Hiett, the receiver receives signals from as far away as 1,000 feet. (Hiett, col. 9, lines 23-26).

Accordingly, for the foregoing reasons, and for those reasons stated in Appellant's Appeal Brief, Appellant submits that the Examiner has failed to establish a prima facie case of obviousness with respect to independent Claims 1 and 8 because Hiett fails to teach or suggest at least one limitation in each of the rejected claims. Appellant respectfully requests that the Board reverse the rejections of independent Claims 1 and 8, and corresponding dependent Claims 2, 4-7, 9, 11-14, and 16-17.

II. Claims 3, 10, and 15 (Group 2)

With respect to dependent Claims 3, 10, and 15, Appellant submits that the Examiner has still failed to establish a prima facie case of obviousness. As stated above, Hiett does not teach or suggest a very low range direct broadcast receiver located on the mobile platform and limited to receiving signals transmitted from within a very short range, as recited in dependent Claim 3. Further, Hiett does not teach or suggest providing Internet data to the computer network via the direct broadcast receiver from a distance of less than a few meters the direct broadcast receiver being limited to receiving signals transmitted from within a very short range, as recited in dependent Claims 10 and 15. As stated by the Examiner the "LaRocca was presented to fulfill the limitation 'back channel transmitter' as required by claim 3 and not for the '...direct broadcast receiver being limited to receiving signals transmitted from within a very

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short range'." (Examiner's Answer, page 13, lines 1-3). Therefore, the LaRocca reference does not cure the deficiencies of Hiett.

Accordingly, for the foregoing reasons, and for those reasons stated in Appellant's Appeal Brief, Appellant submits that the Examiner has failed to establish a prima facie case of obviousness with respect to dependent Claims 3, 10, and 15 because Hiett and/or LaRocca fail to teach or suggest at least one limitation in each of the rejected claims. Appellant respectfully requests that the Board reverse the rejections of dependent Claims 3, 10, and 15.

CONCLUSION

In view of the foregoing reasons, and in addition to those presented in Appellant's Appeal Brief, Appellant submits that Claims 1-17 are not properly rejected with respect to the cited references under 35 U.S.C. §103(a). Accordingly, it is respectfully requested that the board reverse the claim rejections for Claims 1-17.

Dated this 3rd day of April, 2008.

Respectfully submitted,

Date 4/3/2008

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